

PLAINTIFF'S COPY 6:24-CV-00766-AN

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Eugene DIVISION

Thomas Leonard Berry

(Enter full name of plaintiff)

Plaintiff,

v.

Civil Case No. 6:24-cv-00766-AN  
(to be assigned by Clerk's Office)

COMPLAINT FOR VIOLATION OF CIVIL  
RIGHTS (PRISONER COMPLAINT)

The State of Oregon  
Honorable Judge Edmonds  
DISTRICT ATTORNEY

(Enter full name of ALL defendant(s))

Defendant(s).

Jury Trial Demanded

Yes  No

I. PARTIES

List your name, address, and telephone number below, and the same information for each defendant. Make sure that the defendant(s) listed below are identical to those contained in the caption of the complaint. Attach additional sheets of paper if necessary.

Plaintiff

Name: Thomas Berry  
Street Address: 4000 S 21st Street  
City, State & Zip Code: Salem, OR 97310

Telephone No.: \_\_\_\_\_

**Defendant No. 1**

Name: Honorable Judge Edmonds

Street Address: 100 High ST NE

City, State & Zip Code: Salem, OR 97310

Telephone No.: \_\_\_\_\_

**Defendant No. 2**

Name: DISTRICT ATTORNEY

Street Address: 100 High ST NE

City, State & Zip Code: Salem, OR 97310

Telephone No.: \_\_\_\_\_

**Defendant No. 3**

Name: The State of Oregon

Street Address: 100 High ST NE

City, State & Zip Code: Salem, OR 97301

Telephone No.: \_\_\_\_\_

**Defendant No. 4**

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State & Zip Code: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

## **II. BASIS FOR JURISDICTION**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. You are bringing suit against (*check all that apply*):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. What federal constitutional, statutory, or treaty right(s) is/are at issue?

My Due process for fair, equal rights in my case to a just trial in a timely manner and to be represented and heard in the interest of justice.

### III. STATEMENT OF CLAIMS

#### Claim I

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

my trial is set in a time that exceeds 270 days. It was set in an untimely manner by the District Attorney. Honorable Judge Edwards set an unreasonable amount of bail. The state of Oregon refuses to give me emergency medical care for my broken shoulder and medication for my mental disorder. The D.A. and Judge are aware of my medical and mental needs and are aware that the grand jury testimony was perjured. Therefore my Due process is being violated.

#### Claim II

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

Judge Edwards refuses to let me out on reasonable bail neglecting my rights to

medical care and mental health needs The DA accepted perjured testimony and has not set my trial within 270 days of Being in jail. The state of Oregon has neglected to monitor the courts of doing their job my mental health is Declining my Broken shoulder is mending wrong I'm going suffer immensely for this injustice

### Claim III

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

I've been incarcerated for 240 days and my trial is set for 3 weeks beyond the 270 days of reasonable time. The alleged victim's committed perjury. There's issues with chain of evidence and in the interest of justice I'm being walked on and my rights are being violated. The Judge set an unreasonable bond. The court is aware of my medical and mental issues. That the jail refuses to offer me

---

(If you have additional claims, describe them on another piece of paper, using the same outline.)

#### IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

I have filed for administrative relief as to all claims in Section III and have concluded all administrative appeals available to me.

Yes       No

#### V. RELIEF

*State briefly exactly what you want the court to do for you and the amount, if any, of monetary compensation you are seeking. Make no legal arguments. Cite no cases or statutes.*

I want the court to release me from custody for all my many violations of my rights so I can seek professional help, legally, medically, mentally. I just want my Due Process and the state to also make sure the courts are doing their job thoughly correct and giving me my rights and my equal rights to represent myself in a timely fassion.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 5 day of May, 2024

Theresa Z. Buse  
(Signature of Plaintiff)

Name: Thomas Berry  
SID# 1216051

LEGAL/OFFICIAL MAIL ONLY  
Marion County Sheriff's Office-Jail  
4000 Aumsville Hwy SE  
Salem, OR 97317

PORTLAND OR 972

6 MAY 2024 PM 5 L



USDC  
Wayne L. Morse US Courthouse  
4005 E 8th Ave STE 2100  
Eugene, OR 97401

97401-271225

